

AUG. 25. 2005 4:24PM

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NO. 0105 P. 1

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**Birch, Stewart,
Kolasch & Birch, LLP**

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Fax

To:	Examiner Frederick Krass	From:	Leonard R. Svensson
Fax:	(571) 273-8300	Pages:	7 including cover sheet
Phone:		Date:	August 25, 2005
Your Ref.:	Application No. 10/771,259	Our Ref.:	1718-0214P
Re:	Response to Notice of Non-Compliant Amendment	CC:	

☐ **Urgent** ☐ **For Review** ☐ **Please Comment** ☐ **Please Reply** ☐ **Please Recycle**

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• **Comments:**

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AUG 25 2005

**PATENT
1718-0214P****IN THE U.S. PATENT AND TRADEMARK OFFICE**

Applicant:	HARMENBERG, Johan et al.	Conf.:	2442
Appl. No.:	10/771,259	Group:	1614
Filed:	February 2, 2004	Examiner:	KRASS, Frederick
For:	PHARMACEUTICAL COMBINATION		

REPLY TO NOTICE OF NON-COMPLIANT AMENDMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

August 25, 2005

Sir:

This is a Reply to the Notice of Non-Compliant Amendment issued August 4, 2005 in connection with the above-identified application. Applicants filed an Amendment on July 13, 2005 and paid the appropriate two month extension fee. According to the Notice, the July 13 Amendment did not contain a complete listing of all of the claims. This Reply corrects this defect.

Applicants hereby submit a complete copy of the entire "Amendments to the Claims" section of the July 13, 2005 amendment, thus fulfilling the requirement of the Notice.

This reply includes Amendments to the Claims

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AUG 25 2005

PATENT
1718-0214P

IN THE U.S. PATENT AND TRADEMARK OFFICE

Applicant: HARMENBERG, Johan et al. Conf.: 2442
Appl. No.: 10/771,259 Group: 1614
Filed: February 2, 2004 Examiner: KRASS, Frederick
For: PHARMACEUTICAL COMBINATION

SUPPLEMENTAL AMENDMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

August 25, 2005

Sir:

This is a Supplemental Amendment in response to the Office Action issued March 4, 2005 in connection with the above-identified application. Applicants filed an Amendment on July 13, 2005 and paid the appropriate two month extension fee. The July 13 Amendment presented the claims in incorrect format. This amendment corrects this defect. In addition, Applicants have further limited the claims for the sole reason of expediting prosecution and for no other reason. Applicants hereby reserve the right to pursue the unclaimed subject matter in future divisional applications.

This reply includes Amendments to the Claims and Remarks.

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**Birch, Stewart,
 Kolasch & Birch, LLP**

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Fax

To: Examiner Frederick Krass	From: Leonard R. Svensson
Fax: (571) 273-8300	Pages: 62 including cover sheet
Phone:	Date: August 25, 2005
Your Ref.: Application No. 10/771,259	Our Ref.: 1718-0214P
Re: Supplemental Amendment	CC:

☐ **Urgent** ☐ **For Review** ☐ **Please Comment** ☐ **Please Reply** ☐ **Please Recycle**

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- **Comments:** Attached are the following documents:
- Transmittal
 - Supplemental Amendment
 - PTO 1449 & 3 Journal Articles (as listed)

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AUG 25 2005

MS AMENDMENT
PATENT
1718-0214P

IN THE U.S. PATENT AND TRADEMARK OFFICE

Applicant: HARMENBURG, Johan et al. Conf.: 2442
 Appl. No.: 10/771,259 Group: 1614
 Filed: February 2, 2004 Examiner: KRASS, Frederick
 For: PHARMACEUTICAL COMBINATION

LARGE ENTITY TRANSMITTAL FORM

MS AMENDMENT

Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

August 25, 2005

Sir:

Transmitted herewith is a Supplemental Amendment in the above-identified application.

- ☐ The enclosed document is being transmitted via the Certificate of Mailing provisions of 37 C.F.R. § 1.8.
- ☒ The enclosed document is being transmitted via facsimile.

The fee has been calculated as shown below:

	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR		PRESENT EXTRA	RATE	ADDITIONAL FEE
TOTAL	30	-	40	=	0	\$50	\$0.00
INDEPENDENT	2	-	3	=	0	\$200	\$0.00
<input type="checkbox"/> FIRST PRESENTATION OF A MULTIPLE DEPENDENT CLAIM						\$360	\$0.00
						TOTAL	\$0.00

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Appl. No. 10/771,259

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- ☐ Petition for () month(s) extension of time pursuant to 37 C.F.R. §§ 1.17 and 1.136(a). \$0.00 for the extension of time.
- ☒ No fee is required.
- ☐ Check(s) in the amount of \$0.00 is(are) enclosed.
- ☐ Please charge Deposit Account No. 02-2448 in the amount of \$0.00. This form is submitted in triplicate.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Commissioner of Trademarks
I hereby Certify that this correspondence is being
facsimile transmitted to the Patent and
Trademark Office.

On 8/25/05
[Signature]
Sandra B. Pauw
Typed or printed name of person signing

LRS/SWG/sbp
1718-0214P

Attachment(s)

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By [Signature] #47,604
for Leonard R. Svensson, #30,330
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